

## GAYLOR MURDER TRIAL.

It Was Commenced Before Chief Justice Merritt Yesterday.

## GRAND AND PETIT JURORS.

THOSE WHO WILL SERVE AT THE FEBRUARY TERM.

The Civil Jury Case Settings for this month—short rulings by Judge Barich—New Actions Commenced and Judgments Entered—Probate Court Matters.

The February term of the Third district court opened yesterday morning. The first business in Chief Justice Merritt's court was the empaneling of the grand jury. It was found necessary to draw three additional names, J. J. Snell, A. H. Peabody and J. E. McCullum.

Assistant District Attorney Richards examined the gentlemen as to their statutory qualifications and fitness to serve. The court appointed J. M. Bidwell, of Salt Lake city, as foreman and when completed the panel stood as follows:

J. M. Bidwell, Salt Lake city, foreman.  
J. J. Snell, city.  
Israel Call, East Bountiful.  
Joshua Pendleton, Washp.  
William Crook, Washp.  
William Hurd, city.  
O. R. Peterson, city.  
B. W. Rolfe, Hunter.  
W. B. Davis, Draper.  
Samuel C. Stribby, Brighton.  
O. W. Holstein, Bingham.  
J. H. Brinton, Hig Cottonwood.  
Herman Hill, city.  
Ole Christensen, city.  
Orin P. Hatch, Bountiful.

Judge Merritt delivered a brief charge instructing them in their duties and cautioned them especially to keep secret what transpired during their deliberations in the grand jury room. The inquestors then retired and at 2 o'clock got down to business.

## THE PETIT JURORS.

The examination of the gentlemen subpoenaed to act as petit jurors was conducted by Assistant District Attorney Howard and the entire panel was gone through.

The following is the list: Judson Talmann, John W. Halford, David Pack, H. O. Heath, Walter H. H. Jones, H. A. Lacey, John J. Snyder, R. G. Lutz, H. A. Ferguson, Richard Wilson, James H. Brown, George S. Bailey, E. E. Wicks, John G. Barber, John H. Jones, O. S. McLean, R. F. Venable, Lewis Carpenter, Thomas Marriot, Jr., A. H. Carter, P. W. Madison, W. H. Lawrence, George L. Savage, T. C. Stebbins, W. A. Rhodes, L. E. Bamberger, T. W. Whiteley, W. J. Ridd, W. J. Showaker, John Duncan, Thomas W. Horsley, Alexander Sibley, James Cushing, A. R. Porter, J. A. Smith, John E. Bushy, David Fleher, R. A. Keyes, Robert Walters.

## THE GAYLOR CASE.

The Trial of George Gaylor for Murder Commenced.

The case of George Gaylor, charged with murder in the second degree, came up before Chief Justice Merritt yesterday afternoon. The history of the case is well remembered by the public. The tragedy by which little Clyde Robertson lost his life occurred last June. The defendant, George Gaylor, and Harry Hammond were out hunting and returning in the evening with a shot gun, it is charged that the two boys, Hammond, aged 13, and Gaylor, aged 14, shot and killed Clyde Robertson, aged 4 years. The two were jointly indicted by the grand jury and Hammond was tried before Judge Barich at the last term of court, convicted of murder in the second degree and sentenced to fifteen years in the reform school at Washington, D. C., and now comes the trial of the co-defendant, Gaylor. Assistant District Attorney Howard and Attorney George L. Nye prosecuted and Judge Powers and Attorney Whitmore defended.

Judge Powers, on behalf of the defendant, read an affidavit of impotence and presented a list of witnesses whom he wished subpoenaed at the expense of the territory.

Assistant District Attorney Howard was of the opinion that Gaylor's father should bear the expense. He stated that Gaylor was formerly a school boy, but having already employed two lawyers it was possible that he was now impotent. Attorney Whitmore stated that Mr. Gaylor was not in a position to bear the expense of subpoenaing the witnesses and his honor said the boy must have a fair show and ordered that the witnesses be subpoenaed at the territory's expense.

The empaneling of a jury was then proceeded with, which occupied the time of the court till after 5 o'clock, during which the prosecution exercised its and the defense five peremptory challenges. The court ordered an additional venire of thirty jurors issued returnable this morning, and the work of empaneling will be proceeded with at 10 a. m. in the morning at the present rate of procedure promises to occupy most of the day.

## JUDGE BARICH'S DIVISION.

The Settings of the Civil Jury Cases For February.

Judge Barich made the following rulings in cases on the law and motion calendar, and made the settings of the civil jury cases for the month as given below.

## Short Rulings.

Cornelius McLaughlin vs. Park City bank; motion to strike out motion to compel the receiver to pay over certain funds and turn over a stock of merchandise to the United States marshal sustained.

George J. Thomas vs. James G. Glendinning; motion for judgment on pleadings denied.

E. L. Shost et al. vs. C. E. Wandland et al.; motion for judgment on pleadings denied; demurrer to complaint overruled and ten days to answer.

E. W. Taylor vs. R. G. Wilson; demurrer to complaint overruled and twenty days to answer.

Henry Wagner vs. Salt Lake city; demurrer sustained and ten days allowed to answer.

National Bank of the Republic vs. Ackerman Printing company; demurrer overruled and ten days to answer.

Henry Farris vs. Park City bank et al.; judgment entered for all defendants.

John T. Cahoon vs. Nat. M. Brigham; ten days additional time allowed to amend the complaint.

Albert C. Standart vs. Arthur Parsons et al.; Louise O. Standart administrator substituting; motion for judgment on pleadings denied.

Board of education vs. William Lester; bill Feb. 15 allowed to answer.

O. W. Moyle vs. B. S. Rupp; demurrer to cross complaint sustained and ten days to answer.

O. C. Brown vs. Jackson Bolton; demurrer to cross complaint argued and submitted.

Joseph Coburn et al. vs. W. H. Remington et al.; sent to Judge Merritt.

A. C. Dale vs. J. M. Patten et al.; demurrer to complaint overruled and ten days to answer.

W. S. McCormick vs. E. M. Weller et al.; demurrer to complaint overruled and ten days to answer.

Erick T. Kjellstrom et al. vs. Daniel Foy et al.; motion for a new trial argued and submitted.

Oscar Lancaster et al. vs. Georgiana

Olson; leave granted defendant to withdraw answer.

## Civil Jury Settings.

Judge Barich made the following civil jury settings yesterday morning:

WEDNESDAY, FEB. 7.

M. Newcome vs. F. C. Wells et al. Attorneys, D. J. Frew and T. Ellis Brown.

Louise Standart, administratrix, vs. A. H. Parsons, S. H. Lewis, C. Ira Krebs and Booth, Lee & Gray.

THURSDAY, FEB. 8.

Freed Furniture and Carpet company vs. Nellie M. Madden et al. Grant H. Smith, H. Harris and J. E. Darmer.

German-American Insurance company vs. Louis Kolitz, Young, Young & Moyle and Powers & Hiles and S. H. Lewis.

James Thompson vs. Oscar Groschell et al. J. E. Darmer and C. C. Crossman.

FRIDAY, FEB. 9.

A. R. Carter vs. F. Tiernan, Whittemore & Armstrong and F. B. Stephens.

M. Lenz vs. F. Hadra, Barlow Ferguson, J. M. Cannon and Loomis & Kahn.

Frank T. Hilt vs. N. H. Groesbeck et al. W. C. Hall and Reilly & Kane.

MONDAY, FEB. 12.

Pioneer Savings and Loan company vs. H. P. Mason et al. Dey & Straley.

J. M. Thomas.

Rachel R. Hewlett vs. W. M. Rieley, McQuillan & Lyles and C. H. Martin.

Mason & Co. vs. T. J. Angell & Co. J. G. Sutherland and Rawlins & Critchlow.

TUESDAY, FEB. 13.

Joseph Goddard vs. John W. Young et al. J. W. Judd and Le Grand Young.

William Anderson vs. Salt Lake & Los Angeles Railway company. D. J. Wenger and Richards & Richards.

Dora E. Larson vs. J. W. Campbell et al. C. Ira Krebs and Morse & Burmeister.

WEDNESDAY, FEB. 14.

James H. Erickson vs. H. J. Erickson et al. Rawlins & Critchlow and Hoge & Burmeister.

Edward P. Scoville vs. Salt Lake City. J. C. McNally and E. D. Hoge.

Le Grand Young vs. The Union Pacific Railway company. Le Grand Young and P. L. Williams.

THURSDAY, FEB. 15.

Salt Lake Improvement and Natural Gas company vs. George Kellogg. W. G. Van Horne, J. A. Williams.

Charles Crane et al. vs. W. H. Wallace, S. H. King and Ellis Browne and S. H. Lewis and Ira Krebs.

St. V. Le Stur vs. North American Asphalt Co. Arthur Brown and Bennett, Marshall & Bradley.

FEBRUARY 16.

The United States vs. Union Pacific Railway company. J. W. Judd, P. L. Williams.

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Lake city vs. George E. Yeaton. E. D. Hoge and J. H. Hurd.

MONDAY, FEB. 19.

Spencer Clawson et al. vs. Arthur Brown. R. W. Young, Arthur Brown.

George L. Sartorius association vs. David James. C. F. Loomis & Le Grand Young.

H. Pembroke vs. Alfred C. Reese et al. Denton & McNally, H. R. Watrous.

TUESDAY, FEB. 20.

A. J. Dunford vs. John W. Young. S. W. Darke and Le Grand Young.

Ed Fauskes vs. J. Raleigh. Thomas Adams.

Central Railway company vs. Rio Grande Western Railway company. Le Grand Young, Bennett, Marshall & Bradley.

WEDNESDAY, FEB. 21.

A. F. Fraser vs. A. M. Paul et al. D. H. Wenger and Williams & Van Cott.

Wilford Ray (by guardian) vs. Anthony Cockrell, Zane & Putnam, E. V. Higgins.

A. G. Bennett vs. John Blackburn et al. A. E. Pratt and Richards & Moyle.

FRIDAY, FEB. 23.

Travelers' Insurance company vs. Ferdinand Beyle et al. Bennett, Marshall & Bradley and Hamilton, Bowman & Zilly.

S. S. Markham vs. P. Conway et al. S. H. Lewis and Ellis Browne.

George F. Culmer vs. Francis D. Clift. J. G. Sutherland, Brown & Henderson.

MONDAY, FEB. 26.

Samuel E. Vance et al. vs. John H. Whalen. J. M. Bowman and O. W. Powers.

Andrew Nink vs. W. H. Lyon et al. Frank Hoffman and Arthur Brown.

He told me a day or two ago that he had struck free gold. I went over to look at it, but it had escaped. It doesn't do to allow gold too much freedom. Whether or not the gold is there are more prospectors in this district than one would imagine and when the snow goes off there will be more gold than I can dig up.

lots of it. This formation is the same as in Camp Floyd and there is lots of ore in sight. I do not exaggerate when I say that if the mine is not three or four miles here before next fall the ore will run from \$5 to \$20 in gold.

Postmaster-General Bissell has been asked to establish a post office at this point. It is needed badly. It is twenty-five miles to the nearest office and there are over one hundred people here who haven't heard yet whether Corbett knocked out Mitchell or vice versa.

This is a romantic place in which to live if we only had potatoes and coffee. Somehow one cannot get any other food on bacon and "slinkers." "Slinkers" by the way, are what we call our cook's biscuits. A "sinker" is not the lightest thing in the world. We have a horse named Crow. We called him Crow because he was black and for the further reason that he would eat anything from cedar boughs to oatmeal.

Poor Crow is now in the land beyond the gloom. He tackled a "sinker" one night and next morning we found him in front of the cabin. He must have been defunct for several hours, for rigor mortis, assisted by 12 below zero, had stiffened him. If fate looks out for anything, Crow must have died.

His countenance, properly interpreted, read, "I wish—I hadn't done it." We held a post mortem, partly because we wanted to learn who killed him and partly because we wanted to save his hide and shoes. In his stomach we found the sinker. It had changed in no respect. Acting-Coroner "Duch" Simons returned a verdict of death from natural causes in the face of all the evidence. He escaped with his life and is now living in an abandoned wickup down the canyon. We subsequently learned that the cook promised to make him a pie when the apples thawed out.

But the scenery! It is grand. Each morning a mist arises on the desert, seemingly as if a lot of vapor springs were in action. Gradually the clouds unite and cover the vast plain like a sea of milk. The morning sun shining on the surface of the featureless billows causes them to take on all the colors of the rainbow and then on a fair day reveal in adoration. Sometimes I feel like painting it, but I remember that I am only used to one color.

I change my notion, and have a sigh of a pound or two in weight and find my drill till it's time to thaw out the powder.

Since writing the above I have struck

it rich. I am going down the canyon to the cabin of an old miner, who can tell me within a pennyweight of what it will run.

Since writing the above I have seen him. I don't think he likes me or is jealous of my success. His remarks condensed would resemble something like this: What! Why you—

That is nothing but some— pyrrics. Suffering—

I am sinking in a new place. C. M. JACKSON.

THE COUNTY COURT.

A VERY LONG LIST OF APPROPRIATIONS MADE.

The Amount is Nearly Nine Thousand Dollars—The Balance Due ex-Collector Hardy by the County.

The county court met and allowed the following claims yesterday:

Conservation—

Walter Murphy.....\$ 208.33

H. V. Meloy.....254.16

W. P. Lynn.....150.00

John Cahoon.....133.60

Joseph R. Morris.....73.40

Herman Bamberger.....105.00

J. M. Gray.....75.00

W. F. Hills.....100.00

James E. Blair.....39.50

Expenses—

F. Auerbach & Bro.....15.00

C. C. Bleasdale.....135.00

R. L. Conely.....106.00

Reber & Morgan.....5.70

H. V. Meloy.....16.46

James M. Gray.....3.00

John Stewart.....30.00

James E. Lynch.....14.00

C. C. Madden.....25.00

James M. Gray.....15.00

B. W. Ralf.....3.20

R. M. B. Telephone Co.....21.00

R. M. B. Telephone Co.....22.25

Western Bell & Morris.....50.25

P. W. Lynn.....10.00

Rothenberg & Innis.....12.50

Pauper—

H. Bamberger.....200.00

F. Auerbach & Bro.....2.25

Sears & Liddle Co.....45.00

Wiscomb & Co.....17.00

C. T. Borden.....25.00

J. C. C. Glandfield.....18.46

John Self.....5.00

John Brown.....21.00

L. Solomon.....65.00

W. T. Walker.....10.00

E. W. Whittemore.....10.00

P. A. Meacham.....5.00

Mrs. Daniel Murchie.....10.00

M. B. Telephone Co.....10.00

St. Mark's Hospital.....60.00

August Stein.....1.70

William McQueen.....16.10

J. E. Borden.....12.00

Philip Jones.....4.00

Louisa Lavin.....2.00

Albert Smith.....24.00

Corbin's Goods Co.....40.00

Leard Wallace.....40.00

F. S. Bascom.....6.00

F. Auerbach & Co.....9.80

Mrs. Mary Jensen.....13.50

C. C. Madden.....10.00

Joel F. Allen.....109.00

Mrs. J. M. Evans.....1.70

P. A. Meacham.....5.00

C. C. Madden.....10.00

Colm's Dry Goods Co.....4.65

Harry Haines.....227.35

C. B. Dursel Grocery Co.....45.50

J. E. Borden.....11.00

P. Loomis.....20.00

P. A. S. Allen.....50.00

N. R. Heath.....30.00

Phoebe Collins.....4.00

Westholm & Morris.....234.30

Ida Brandt.....20.50

Union Publishing Co.....136.00

Tribune Publishing Co.....13.25

William Skewes & Son.....30.00

H. Bamberger.....147.75

Martin Lannan.....14.13

Muss Eddy Turpin.....7.20

Court house and lands—

J. W. Farrell & Co.....112.50

Westholm & Morris.....13.75

Monheim, Bird & Bradford.....453.84

C. S. Bond & Bros.....65.00

Morris Thomas.....5.00

John A. Smith & Son.....200.00

Morrison, Merrill & Co.....3.15

Morrison, Merrill & Co.....182.37

W. B. Brown.....20.00

Lund & Baird.....150.00

C. F. Borden.....2.25

C. F. Standart.....65.00

Houlahan, Griffin & Morris.....253.00

R. N. Baskin, mayor.....865.35

Rothenberg & Innis.....8.20

H. P. G. Bates.....25.00

C. F. Borden.....47.00

Silver Bros.....410.53

C. Diehl & Co.....50.00

H. M. Willard.....93.00

W. B. Brown.....17.50

Wattenholm & Morris.....58.82

J. N. Milton.....10.17

George M. Scott & Co.....13.45

George Scott & Co.....40.00

Eagle Foundry & Machine Co.....52.75